

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

**ALGANESH REDA INDIVIDUALLY)
AND D/B/A U AND I FOOD MART,)**

Plaintiffs,

v.

**PEERLESS INDEMNITY INSURANCE)
COMPANY, MONTGOMERY)
INSURANCE COMPANY, LIBERTY)
MUTUAL GROUP,)**

Defendants.

Case No. _____

US District Judge: _____

US Magistrate Judge: _____

Jury Demand

NOTICE OF REMOVAL OF CIVIL ACTION

Come now the Defendants, Peerless Indemnity Insurance Company, Montgomery Insurance Company, and Liberty Mutual Group (hereinafter referred to as "Peerless, Montgomery & Liberty"), pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, and hereby give Notice of Removal of this Civil Action from the Chancery Court for Davidson County, Tennessee, to the United States District Court for the Middle District of Tennessee, and state as follows:

1. On or about October 6, 2010, Plaintiffs, Alganesh Reda, Individually, and D/B/A U and I Food Mart (hereinafter referred to as "Reda"), filed a Complaint against Peerless, Montgomery & Liberty in the Twentieth Judicial District of Tennessee, Chancery Court of Davidson County, under Case Number 10-1616-II, a copy of which is attached hereto as "Exhibit A." (Exhibits to original Complaint are not attached).

2. On or about October 8, 2010, Plaintiff, Reda, filed an Amended Complaint against Peerless, Montgomery & Liberty in the Twentieth Judicial District of Tennessee, Chancery Court

of Davidson County, under Case Number 10-1616-II, a copy of which is attached hereto as "Exhibit B."

3. On October 21, 2010, the Corporation Service Company, 2711 Centerville Road, Wilmington, DE 19808, received service of process via certified mail, transferring the Summons and Amended Complaint to the duly authorized registered agent for service of process. As of November 19, 2010, the Davidson County Chancery Court Clerk & Master had not received a return of any of the Summonses. No proceedings on the Complaint or the Amended Complaint have transpired in the Davidson County Chancery Court.

4. In a case such as this one, the U. S. District Court has jurisdiction "where the matter in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs, and is between – (1) citizens of different States;" 28 U.S.C. § 1332(a).

5. The Plaintiffs, Reda, are, and were at all times relevant to this action, both a resident and citizen of Davidson County, Tennessee, and a business operating within the confines of Davidson County, Tennessee.

6. Peerless Indemnity Insurance Company is incorporated in Illinois, with its principal place of business in Warrenville, Illinois. Peerless Indemnity Insurance Company's high-level officers direct, control, and coordinate Peerless's activities in Boston, Massachusetts. Peerless Indemnity Insurance Company is licensed and authorized to do business in the State of Tennessee.

7. Montgomery Insurance Company is incorporated in Maryland, with its principal place of business in Columbia, Maryland. Montgomery Insurance Company's high-level officers direct, control, and coordinate Montgomery's activities in Boston, Massachusetts. Montgomery Insurance Company is licensed and authorized to do business in the State of Tennessee.

8. Liberty Mutual Group is properly entitled "Liberty Mutual Group, Inc.", and is a holding company incorporated in Boston, Massachusetts, with its principal place of business in the same location. It is also licensed and authorized to do business in the State of Tennessee.

9. The Amended Complaint filed by Plaintiffs, Reda, seeks damages related to the alleged wrongful denial of coverage; breach of contract; estoppel; negligence; violation of the Tennessee Consumer Protection Act; fraud; and declaratory judgment. As a result of these alleged wrongs, Plaintiffs, Reda, seeks damages for the alleged loss of business income, diminished value of property, general damages, three (3) times actual damages, five hundred thousand dollars (\$500,000.00) in compensatory damages, attorney's fees, pre-judgment and post-judgment interest, costs and any further relief that the Plaintiffs, Reda, believe they may be entitled. Clearly, the relief sought by Plaintiffs, Reda, is significantly in excess of the sum or value of Seventy-Five Thousand and 00/100 Dollars (\$75,000.00), exclusive of interest and costs.

10. There is a complete diversity of citizenship between Plaintiffs, Reda, and Defendants, Peerless, Montgomery & Liberty, and the amount in controversy in this case, exclusive of interest and costs, easily exceeds the Seventy-Five Thousand and 00/100 Dollar (\$75,000.00) threshold. This Court has original jurisdiction of this case pursuant to 28 U.S.C. § 1332.

11. Defendants, Peerless, Montgomery & Liberty, have filed a copy of this Notice with the Chancery Court for Davidson County, Tennessee, and have also served a copy on the attorney for Plaintiffs, Reda, Ms. Kathy A. Leslie.

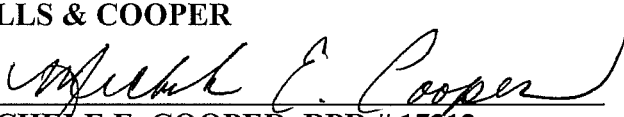
9. Counsel for Defendants, Peerless, Montgomery & Liberty, Michele E. Cooper, is duly licensed to practice in the United States District Court for the Middle District of Tennessee, and is an attorney in Good Standing with the Middle District.

WHEREFORE, Defendants, Peerless, Montgomery & Liberty, request this action be removed from the Chancery Court for Davidson County, Tennessee, to the United States District Court for the Middle District of Tennessee, at Nashville.

We respectfully demand a jury of six (6) to hear this matter.

Respectfully submitted,

MILLS & COOPER



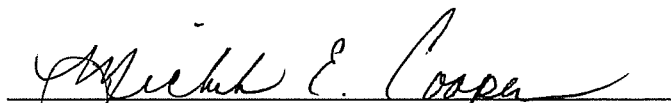
MICHELE E. COOPER, BPR # 17312
5042 Thoroughbred Lane, Suite A
Brentwood, TN 37027
(615) 221-8218

ATTORNEY FOR DEFENDANTS,
PEERLESS, MONTGOMERY & LIBERTY

CERTIFICATE OF SERVICE

I hereby certify on this, the 19th day of November, 2010, a true and exact copy of the foregoing was sent via first class mail, postage prepaid, and via electronic transfer/email to the following:

Kathy A. Leslie, BPR #13587
Attorney for Plaintiffs
Sister In Law Legal Firm
202 Point East Drive
Nashville, TN 37216


MICHELE E. COOPER